

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

REPRODUCTIVE HEALTH SERVICES)	
OF PLANNED PARENTHOOD OF THE)	
ST. LOUIS REGION, INC., et al.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 03-4210-CV-C-SOW
)	
JEREMIAH W. NIXON, et al.,)	
)	
Defendants.)	

ORDER

This Court issued an Order dated November 30, 2005, that in part followed plaintiff's first proposed order. The Court has been informed of the plaintiff's Notice of Filing and proposed Supplemental Order of Preliminary Injunction (Doc. # 78).

Accordingly, it is hereby

ORDERED that the November 30, 2005 Order of this Court is vacated. It is further

ORDERED that the June 22, 2004 Order of this Court is vacated. It is further

ORDERED that no portion of subsections 1 and 5 of Missouri Revised Statutes Section 188.039 is enjoined. It is further

ORDERED that to the extent that Section 188.039, except in a medical emergency, requires that the woman

(a) be provided, at least 24 hours prior to obtaining the abortion, truthful nonmisleading information about the nature of the proposed procedure and those risks of the procedure that a reasonable patient would consider material to the decision of whether or not to undergo the abortion; and

(b) provide a signed, written statement that she received this information and that she consents to the abortion, whether the abortion is performed surgically or through the use of

medicines;

such provisions are not enjoined and are deemed enforceable. It is further

ORDERED that the remainder of subsections 2, 3, and 4 of Section 188.039 are enjoined for the reasons previously stated in this Court's Order of June 22, 2004. It is further

ORDERED that this Order of Preliminary Injunction is directed only against the Prosecuting Attorney of Boone County and the Circuit Attorney of the City of St. Louis. It is further

ORDERED that in the absence of a further order of this Court, this Order of Preliminary Injunction shall expire 10 days after final judgment in the related case: Reproductive Health Services v. Nixon, case no. SC86768, pending in the Supreme Court of Missouri.

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: 12-1-05